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9	UNITED STATES BANKRUPTCY COURT	
10	FOR THE NORTHERN DISTRICT OF CALIFORNIA	
11	SAN JOSE DIVISION	
12		
13	In Re:) Case No.: 11-54952
14	AIDA ALBAN MIRANDA dba SUNRISE MANOR RESIDENTIAL CARE HOMES, Reorganized Debtor,) Chapter 11
15) APPLICATION FOR ENTRY OF FINAL
16		DECREE) Final Decree Hearing
17) Final Decree Hearing)) Date: July 10, 2014
18) Time: 1:15 P.M.) Ctrm: 3020
19) Place: United States Bankruptcy Court 280 South 1 st Street
20		San Jose, CA
21))
22) HON. ARTHUR WEISSBRODT	
23	Reorganized debtor AIDA ALBAN MIRANDA dba SUNRISE MANOR	
24	RESIDENTIAL CARE HOMES ("Debtor") hereby applies for a Final Decree in the matter	
25	herein. In support thereof, Debtor respectfully represent as follows:	
26	JURISTDICTION	
27	1. The Court has jurisdiction over this Application under 11 U.S.C. § 350, Fed. R. Bankr. P	
28	3022 and Bankruptcy Local Rule 3022-1. RELAVANT HISTORY	
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- 2. On March 8, 2013 the above entitled Court confirmed the Debtor's Amended Plan of Reorganization. An Order confirming the Debtor's Amended Plan was entered on the docket on March 18, 2013. The Order is now final and un-appealable.
- 3. As evidenced by the Post-Confirmation Quarterly Reports filed by Debtor, the Debtor has substantially consummated making payments under the confirmed plan. The Post-Confirmation Quarterly Report further certifies that the Debtor has paid all United States Trustee Fees through the first quarter of 2014.
- 4. Debtor shall file a Post Confirmation Quarterly Report for the Second Quarter of 2014 on or before the hearing for the Final Decree
- 5. Furthermore, Debtor shall file a declaration regarding disbursements made from the first day of the 3rd quarter of 2014 through the anticipated date of closure and tender a final payment to the United States Trustee.

POINTS AND AUTHORITIES

- 6. Fed. R. Bankr. P 3022 provides "[a]fter an estate is fully administered in a chapter 11 reorganization case, the court, on its own motion or on motion of a party in interest, shall enter a final decree closing the case."
- 7. Additionally, 11 U.S.C. § 350(a) states that a case shall close after it has been fully administered. Pursuant to the Post Confirmation Quarterly Reports, the confirmed plan has been substantially consummated. As soon as the Court has ruled on the Fee Application, the administration of this chapter 11 estate shall be complete and a final decree shall be appropriate.
- 8. Further, should be noted, while not binding, that "[a]t minimum, the concept of a fully administered bankruptcy estate must mean that administrative claims have been provided for at least to the extent that assets exist out of which administrative claims can be partly or wholly paid.[In re Kliegl Bros. Universal Elec. Stage Lighting Co., 238 B.R. 531, 1999 Bankr. LEXIS 1144 (Bankr. E.D.N.Y. 1999) and the "Bankruptcy Code and Rules do not specify when a case has been fully administered, a motion for a final decree should show compliance with the confirmed plan and all orders relating to its consummation [In re Kliegl Bros. Universal Elec. Stage Lighting Co., 238 B.R. 531, 1999 Bankr. LEXIS 1144 (Bankr. E.D.N.Y. 1999)]

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CONCLUSION 1 WHEREFORE, Debtors' respectfully request the Court enter a final decree closing the 2 3 case after; 1. A declaration or other document has been filed which evidences the disbursements 4 made under the confirmed plan from the beginning of the third quarter of 2014 5 through the anticipated date of a final decree; and 6 2. All fees have been paid to the United States Trustee; and 7 3. for such other relief as just and proper. 8 9 Respectfully submitted, 10 11 **SAGARIA LAW** A Professional Corporation 12 13 Dated: June 18, 2014 By: /s/ Patrick Calhoun_ 14 Patrick Calhoun, Esq. 15 Attorney for Reorganized Debtors AIDA ALBAN MIRANDA dba 16 SUNRISE MANOR RESIDENTIAL CARE HOMES 17 18 19 20 21 22 23 24 25 26 27 28

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